

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JAQUELINE MASSEY,)	
as the administrator of)	
the estate of Cameron)	
Massey,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:15cv739-MHT
)	(WO)
RALPH CONNOR, et al.,)	
)	
Defendants.)	

JUDGMENT

In accordance with the memorandum opinion entered today, it is ORDERED, as follows:

(1) Defendant City of Eufaula, Alabama's objections to the report and recommendation (doc. no. 74) are sustained to the extent that the court finds that Counts Two and Three of the amended complaint (doc. no. 62) should be dismissed as to defendant City of Eufaula, Alabama for the reasons set forth in the opinion entered today.

(2) The report and recommendation of the magistrate

judge (doc. no. 73) is not adopted.

(3) Defendant City of Eufaula, Alabama's motion to dismiss (doc. no. 67) is granted to the extent that both claims against defendant City of Eufaula, Alabama are dismissed, with Count Two dismissed with prejudice, and Count Three dismissed without prejudice.

(4) Defendant City of Eufaula, Alabama is terminated as a party to this action.

(5) Counts One and Two against defendants Ralph Conner and John Phillips are unchallenged by the dismissal motion and thus remain in the case.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is not closed.

DONE, this the 2nd day of August, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE